

ANALYSIS OF ORIGINAL BILL

Franchise Tax Board

Author: Nakanishi Analyst: Deborah Barrett Bill Number: AB 219
Related Bills: See Legislative History Telephone: 845-4301 Introduced Date: 02/03/05
Attorney: Patrick Kusiak Sponsor: _____

SUBJECT: State Agency Reports Shall Be Available In Electronic Format & Specify Internet Web Site Where Report May Be Downloaded & Telephone Number To Call To Order Physical Copy/Transmit Email to Assembly Clerk & Senate Secretary Providing Link to Web Site

SUMMARY

This bill would establish the procedure for state agencies to submit mandated or requested reports to the Legislature, the Governor, or specified legislative committees when a physical report is not required.

PURPOSE OF THE BILL

The purpose of this bill is to maximize the use of electronic communication to transmit information from state agencies and departments to the Legislature, reduce the amount of paper used, and make record keeping and reporting by state agencies accurate, efficient, and cost effective.

EFFECTIVE/OPERATIVE DATE

This bill will become effective on January 1, 2006, and the requirements will be applicable to any reports required on or after that date.

POSITION

Pending

ANALYSIS

FEDERAL/STATE LAW

Under current state law, the Franchise Tax Board (FTB) is required to produce the following six legislatively mandated reports on an annual basis:

- Summary of Federal Income Tax Changes (submitted to the Legislature),
- Annual Taxpayers' Bill of Rights Report (submitted to the Legislature),
- Audit and Collections Activities (submitted to the Legislative Analyst's Office (LAO) and the Legislature),
- Audit Protest Cases (submitted to LAO, the Legislature, and Department of Finance),
- Disabled Veterans Business Enterprise Statistics (submitted to the Governor, the Legislature, the Department of General Services, and the Department of Veterans Affairs), and
- Enterprise Zones (submitted to the Legislature and the Department of Housing and Community Development).

Board Position:

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Department Director

Date

Gerald H. Goldberg

3/3/05

THIS BILL

This bill would establish the procedure for state agencies to submit mandated or requested reports to the Legislature, the Governor, or specified committees of the Legislature when the mandate or request is silent on whether a specified recipient is to receive a physical copy of the report. The applicable rules for recipients would be as follows:

- For the Governor, a physical copy would be submitted to the Governor.
- For the Legislature, a physical copy would be submitted to the Clerk of the Assembly and the Secretary of the Senate.
- For a legislative committee, a physical copy would be submitted to the chairperson and the vice chairperson of the committee.

In addition to the physical copy, the state agency would be required to make an electronic copy available on a Web site to permit a copy to be downloaded. The bill also would require the Web site to include a telephone number to contact for physical copies of the reports.

IMPLEMENTATION CONSIDERATIONS

Implementing this bill would not significantly impact the department's programs and operations. FTB currently posts one of the eight mandated reports on the FTB Web site. Adding the additional reports to the department's Web site would require minimal resources to comply with the provisions of this bill.

LEGISLATIVE HISTORY

AB 2198 (Liu 2003/04). This bill contained similar language regarding report distribution by a state agency to the Governor, Legislature, or legislative committee. This bill was referred to the Business & Professions Committee and removed from committee without further action.

AB 2482 (Campbell, 2003/2004) would have required a state agency to submit reports electronically and submit a physical copy of the report upon request. This bill failed passage from the Business & Professions Committee.

FISCAL IMPACT

This bill would not significantly impact the department's costs.

ECONOMIC IMPACT

This bill would not impact the state's income tax revenue.

LEGISLATIVE STAFF CONTACT

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